

Energy-related Environmental Research Relevant to California
PON-08-003
Questions and Answers

1. Where is Exhibit I, CBE Preference Points?
 - a. Exhibit I and all Exhibits are available at <http://www.energy.ca.gov/contracts/index.html> under solicitation files for this solicitation (PON-08-003), or will be included in the package sent if a hardcopy of the solicitation is requested.
2. Are similar solicitations put out regularly so that a good project could get continuing funding?
 - a. It is uncertain when or if a similar solicitation will be put out. The decision will be made based on anticipated value and available funds. Each budget cycle involves requests to the Research, Development and Demonstration Committee (RD&D) to fund particular projects. However, PIER likes to build on existing successful research projects.
3. Have there been any amendments to the terrestrial funding section?
 - a. No there have been no addendums to the solicitation, but we are about to release the first one which corrects the due date, and does not change the terrestrial funding section. Please join the mailing list (available at the above website) if you would like to be informed of any addendums that may be made.
4. For the CBE preference requirements if an Applicant proposes to do some research out of state would that disqualify the Applicant if all research is not analyzed in state?
 - a. Not necessarily. As indicated in Exhibit I, Applicants must **substantially** manufacture the product or **substantially** perform the research within California. Applicants should fill out the questionnaire in Exhibit I-1.
5. How would one value and document data provided as match? Could locations of the data collection be confidential?
 - a. The value should be reasonable in accord with what it would cost to buy the data. A letter from the data provider stating and defending its value would be appropriate documentation. Specific to confidentiality, as indicated on page 9 of the Application Manual, no confidential information will be accepted in proposals, and the use of confidential information will also not be accepted in selected projects. Terms and Conditions Section 22 (page 20) indicates that all material that the Recipient uses under the Agreement can be made public. The data, once provided would have to be in the public domain.
6. Is it permissible to have one or more persons in the budget other than as match?
 - a. Yes, personnel can be paid from either match or PIER funds.
7. For match or in-kind should personnel include salary and fringe?
 - a. Yes, for either match or PIER share, personnel should include the standard pay (salary or per hour). If an individual is salaried it is necessary to provide information about a rate of pay per unit of time so that payment requests can be accurately assessed. Fringe or overhead related to personnel should be reflected in the appropriate category in the budget.

8. Will Applicant scores be made public?
 - a. Yes, once scoring is complete and approved by the RD&D committee, a Notice of Proposed Awards will be made public (on the above website) which will include all applicant scores.
9. Should the Professional Advisory Committee be paid?
 - a. The Professional Advisory Committee is optional. Professional Advisory Committee members can be paid or serve on a volunteer basis.
10. Must the Administrative tasks, Tasks 1.1-1.9, be included in the applications?
 - a. The Scope of Work (Exhibit C) does not apply to the 20-page limit. Because the administrative tasks mainly contain boilerplate language, they do not need to be included in the Statement of Work. But, the budget for completing the administrative tasks 1.1-1.9 must be included in the budget workbook. Please note that the language in administrative tasks 1.1-1.7 will not change. Applicants will only provide the dates for the products in these tasks. In contrast, Applicants can delete or modify administrative tasks 1.8 and 1.9.
11. Would Lawrence Berkeley National qualify for the CBE Preference?
 - a. Possibly. One of the requirements in the statute (Public Resources Code section 25620.5) defining the term "California-based entity" is that the entity is a "corporation or other business form organized for the transaction of business." If LBNL thinks it meets this requirement as well as the others, then it should apply for the preference.
12. Why is the funding in this solicitation split the way it is and why isn't there more funding for topics 2 and 3?
 - a. Funding is allocated based the availability of funds devoted to the specific topics. The technical leads for each topic area determine what projects will be covered in the solicitation.
13. What constitutes fringe benefits, and does it include Social Security and health insurance?
 - a. The Energy Commission does not require or define fringe, but it may be included in the budget if it applies to the Applicant's accounting practices. What it specifically includes would be based on the Applicant's accounting practices.
14. Does the Aquatic Resources Research area include tidal or wave energy?
 - a. No. This topic area specifically addresses downstream temperature affects from hydropower operations.
15. Who provides peer review for the final report?
 - a. This is dependent on the topic area and will be specific to each project. The Energy Commission looks for experts in that area from the private sector, public agencies and universities to assist with peer review. Specific to the categories in this Solicitation we have not identified anyone yet.
16. If the proposals in a specific Topic Area do not have a combined request for the total funding of that area, could the successful applications in that area receive additional funding, including an amount above the maximum stated?

- a. No.
17. Can items purchased under a previous PIER contract be used as match?
- a. It is possible that a portion of the item could be claimed as match, but only in a very limited set of circumstances. Nothing purchased in the prior agreement with only PIER funds can be used as match in a proposal to this solicitation. If an item was purchased in whole or part with match funds, the value of the item pledged as match in the prior agreement cannot count towards match under this solicitation (i.e., the same value of an item cannot be claimed as match in two different PIER agreements). However, if the entity purchased the item with its own funds and only claimed a part of the value as match in the prior agreement, the amount of the remaining value dedicated to work under this solicitation can count as match. For example, Company X paid \$100,000 for an item but only dedicated and claimed \$20,000 worth of its value in match under the prior agreement. The work under the proposal will reduce its remaining residual value by \$40,000. Up to \$40,000 could be claimed as match under this solicitation.
18. Must progress reports be monthly, or could they be quarterly?
- a. Progress reports can be either monthly or quarterly, but should be submitted at least as frequently as payment requests.
19. Please clarify the terms Key Partners, Key Personnel and Key Subcontractors?
- a. In the Instructions for the Scope of Work Template Terms and Conditions (included as Exhibit E of the solicitation package) section 10 provides definitions of these terms. Applicants are not required to have them if the project team is sufficient to do the work without them, but most Applicants will have at least Key Personnel.
20. Could a prior successful application be posted?
- a. While it is possible, we are not going to post one because it will not relate to the current solicitation and may mislead applicants into thinking they can just follow the sample. All specific solicitations are unique with their own subject areas and requirements. Using any existing past application as a sample or guide to complete the requirements and/or content for this solicitation could be potentially misleading. Therefore, we do not believe it would be useful to post a past successful application.
21. Please provide more detail on what is intended by community scale energy.
- a. Please see slide 22 of the workshop presentation for a definition of Community scale energy research. One example could involve research that examines and demonstrates innovative ways to use tools, or new tools to measure energy use associated with particular sustainable strategies for planned communities or the existing built environment. Proposals must quantify energy benefit and examine and address environmental implications such as benefits and tradeoffs.
22. Please describe the size of a Community Scale project.
- a. There is no scale limitation. It could involve measurement at a macro level or transferable data and research generated based on individual building sites.
23. Does the 20 page limit include the Scope of Work?

- a. No, Exhibit C, the Scope of Work is specifically excluded from that page limit. Please see section 13 of the Application Manual for more details.
24. Should applications include funds for peer review of the final report in the budget?
- a. It is encouraged that applicants provide, and fund their own peer review, but the Energy Commission will provide for its own peer review.
25. Can previous related research be used as match?
- a. Expenses incurred before the term of the agreement may not be counted as match. However, if the resulting data is useful to the current project, and the prior project was not paid for with PIER funds, then the current value of the data as proposed to be used in the project might be allowable match funding.
26. Can a subcontractor or partner be a subcontractor or partner for multiple applications?
- a. Yes
27. Can you provide us a list of other parties interested in community scale so that we might consider joining forces?
- a. No, at the workshop we said we would post sign-in sheets, because we thought some participants would provide the topic area they were interested in, however none did.
28. What are the differences between this solicitation which is a grant solicitation and previous contract requests for proposals?
- a. There are several differences between grants and contracts.
In general for a contract there is a specific piece of work that the Energy Commission wants done, that may benefit the state and/or the Commission directly. Whereas with grants we want to encourage certain types of projects and cannot directly benefit the Energy Commission. Thus grants provide funds for the Recipients project, and the Commission expects the Recipient to do their due process to most effectively use those funds to complete the project.
More functionally, contracts require approval from the Department of General Services (DGS) and grants do not. Most state contracts require a certain percentage of Disabled Veteran Business Enterprise participation. Grants do not. PIER contract recipients can include an invoice for up to ten percent profit. PIER funds cannot be used for profit in grant agreements. Contract solicitations often include a number of preference points, such as for small businesses. Currently, the only preference in PIER grants is for California-based entities.
29. What is the difference between a California-BASED Entity (CBE, referred to in the application manual on p. 6 and in Exhibits B and I) and a California BUSINESS entity (referred to in the application manual on page 4)? Are government agencies with offices in California considered to be CBEs, even though they are not businesses (or California business entities) per se?
- a. The two terms are separate and related to two different requirements. The term "California-based entity" is defined in California Public Resources Code section 25620.5. An entity must meet this definition and the requirements in the solicitation to qualify for preference points.
A California Business entity is any entity that is, or should be, registered with the California Secretary of State and this term is referenced on page 4. Entities required

by law to register with the California Secretary of State must be registered and in good standing to enter into an agreement with the Energy Commission.

Regarding whether a government agency is a CBE, a CBE is a corporation or other business form organized for the transaction of business. It is not apparent how a government agency would meet this criterion, but Applicants are encouraged to fill out the questionnaire to explain how they do.

30. Page 10 of the solicitation states a due date of January 12th, 2009 while the website and the table of contents and pages 1 and 9 of the solicitation state a due date of January 28th, 2009. Are we correct to assume that the January 12th date is a typo? The budget instructions on Page 7 reference a fact sheet. Can an example fact sheet be provided so that the proposers are able to budget sufficient funds for the development, review and revision of the fact sheet for their proposed projects?
 - a. The due date for the proposal submission is January 28, 2009. An Addendum correcting page 10 will be released. You can see sample factsheets at the following link:
http://www.energy.ca.gov/research/environmental/project_fact_sheets/index.html
31. Will the CEC be willing to negotiate any of the cited terms and conditions?
 - a. No
32. "Public agencies and non-profit organizations that receive funding under this solicitation must provide an authorizing resolution approved by their governing authority to enter into an Agreement with the Energy Commission." Is it something that must be included with our proposal? Is it a letter from our Research Station management/budget level?
 - a. No it does not have to be included with the proposal. It is a resolution from your organization's governing authority. If the Research Station management is not the governing authority, the answer is no. If it is, the answer is yes. Here is a link showing a sample resolution:
http://www.energy.ca.gov/efficiency/partnership/2005-01_EPP_RESOLUTION.PDF
Applicants will want to modify this form so that it applies to their specific application and agency.
33. Are supporting documents to be included in the 20-page maximum proposal so that supporting documentation in an Appendix would not be considered? For example, we would like to show a summary of the Model proposed for demonstration in California?
 - a. Yes, it states in section 13. Proposal Guidelines of the Application Manual (on page 6) the 20 page limit excludes resumes, Statement of Work and budget. Since this does not include additional appendices, the example should be counted within the 20 pages.
34. We would propose that our planning tool be applied to three representative communities and properties in California, such as a commercial property, part of a university and a cluster of townhouses and a low rise. We would like to make a final selection, if our proposal is accepted, and with discussion at a kick-off meeting involving the Energy Commission and our California collaborators.
 - a. It may be helpful if you have specific project criteria (i.e., what criteria you will use to determine the selections).

35. Do the cited terms apply to University of California campuses?
- a. No. The Energy Commission has negotiated specific terms with the University of California. These are available upon request; contact Sarah Williams at (916) 654-4584 or skawilli@energy.state.ca.us
36. Research Topic I, Air Quality, states on page A-1 under section IV that the project term is a maximum of one year. Does this mean that the research can only take one year, or does it mean that the grant agreement itself will only be written for a maximum of one year?
- a. For Research Topic 1, Air Quality, the research can only take one year, but the agreement can be written for longer to allow the Recipient to complete administrative requirements such as completing the Final Report. For all other Research Topics the maximum term listed includes administrative requirements, and is the maximum agreement term.
37. Can preference points be awarded to a CBE that plans to utilize an employee who resides out of state (and offers specific expertise) to conduct some of the analysis with their direct labor paid as part of the required 50% minimum of awarded funds that the CBE proposes to receive?
- a. In this situation, the potential pitfall to receiving CBE preference points appears to be whether a substantial amount of the work will occur within California. As indicated in Exhibit I, part 1, to meet the definition of a CBE, the entity must substantially manufacture the product or substantially perform the research WITHIN California that is the subject of the award. Depending upon how much work this out-of-state person performs, there may not be a substantial amount occurring within California. If an entity meets the definition of a CBE in part 1, it can meet the 50% PIER budget requirement in part 2 even if a portion of the funds is used for out-of-state employees.